

Entered on Docket

March 04, 2021

EDWARD J. EMMONS, CLERK  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA



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Signed and Filed: March 3, 2021

DENNIS MONTALI  
U.S. Bankruptcy Judge

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14  
15 UNITED STATES BANKRUPTCY COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

17 In re:

18 **PG&E CORPORATION,**

19 - and -

20 **PACIFIC GAS AND ELECTRIC COMPANY,**

21 **Debtors.**

- 22  Affects PG&E Corporation  
23  Affects Pacific Gas and Electric Company  
 Affects both Debtors

24 \* *All papers shall be filed in the Lead Case,  
No. 19-30088 (DM).*

Case No. 19-30088 (DM)  
Chapter 11  
(Lead Case)  
(Jointly Administered)

ORDER APPROVING  
STIPULATION PERMITTING  
FRANK MCIVER AND DONALD  
MCIVER TO AMEND  
PREVIOUSLY FILED PROOF OF  
CLAIM

1       The Court having considered the *Stipulation Permitting Frank McIver and Donald McIver*  
2       *to Amend Previously Filed Proof of Claim*, dated March 2, 2021 [Dkt. No. 10330] (the  
3       “**Stipulation**”),<sup>1</sup> entered into by PG&E Corporation (“**PG&E Corp.**”) and Pacific Gas and  
4       Electric Company (the “**Utility**”), as reorganized debtors (collectively, the “**Debtors**” and as  
5       reorganized pursuant to the Plan, the “**Reorganized Debtors**”) in the above-captioned cases (the  
6       “**Chapter 11 Cases**”), on the one hand, and Frank McIver and Donald McIver (“**Movants**”), on  
7       the other hand; and pursuant to such Stipulation and agreement of the Parties, and good cause  
8       appearing,

9           IT IS HEREBY ORDERED THAT:

10          1.       The Stipulation is approved.

11          2.       The Second Amended Proof of Claim is deemed timely filed.

12          3.       The Proofs of Claim and the Asserted Fire Victim Claims shall for all purposes be  
13       treated and classified as Fire Victim Claims under the Plan, and shall be fully assumed by, and the  
14       sole responsibility of, the Fire Victim Trust and subject to the Channeling Injunction, to be  
15       administered, processed, settled, disallowed, resolved, liquidated, satisfied, and/or paid in  
16       accordance with the Fire Victim Trust Agreement and the Fire Victim Claims Resolution  
17       Procedures. Movants shall have no further recourse against the Debtors or Reorganized Debtors,  
18       as applicable, with respect to the Proofs of Claim or the Asserted Fire Victim Claims.

19          4.       Nothing herein shall be construed to be a waiver by the Debtors or the Reorganized  
20       Debtors, as applicable, the Fire Victim Trust, or any other party in interest of any right to object to  
21       the Asserted Fire Victim Claims or the Proofs of Claim on any grounds other than the untimely  
22       filing thereof.

23          5.       Nothing herein shall be construed to be a waiver by Movants of their rights to assert  
24       any right in contravention to or in opposition of any asserted challenge to the Asserted Fire Victim  
25       Claims or the Second Amended Proof of Claim.

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<sup>1</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to  
them in the Stipulation.  
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6. The Original Proof of Claim and the First Amended Proof of Claim are deemed expunged, and Prime Clerk LLC, the claims agent appointed in the Chapter 11 Cases, is authorized to update the official claims register to reflect the terms set forth herein.

7. The Motion Pursuant to Fed. R. Bankr. Proc. 7015 and 7017 to Join Real Party in Interest for Claim Previously Filed; or, in the Alternative, to Enlarge Time to File Proof of Claim Pursuant To Fed. R. Bankr. Proc. 9006(B)(1) [Dkt. No. 10241] is deemed withdrawn with prejudice, and the Hearing vacated.

8. The Stipulation is binding on the Parties and each of their successors in interest.

9. The Stipulation constitutes the entire agreement and understanding of the Parties relating to the subject matter hereof and supersedes all prior agreements and understandings relating to the subject matter thereof.

10. The Bankruptcy Court shall retain jurisdiction to resolve any disputes or controversies arising from this Order or the Stipulation.

\*\*\* END OF ORDER \*\*\*

Dated: March 2, 2021

## WILCOXEN CALLAHAM, LLP

/s/ Drew M. Widders

Drew M. Widders, Esq.

*Attorneys for Frank McIver and Donald McIver*